

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 1155 of 1999

Between:

- 1 Doddi Lovaraju S/o. Butchiah
Lampakalova (V), E.G.Dist.
- 2 Sigireddi Rambabu S/o. Venkataraju
Lampakalova (V), E.G.Dist.
- 3 Nimmala Satyanarayana S/o. Talupulayya
Rowthulapalem, Near Uttarakanchi, E.G.District.
- 4 Nedulla Rambabu S/o. Chandrarao
Rowthulapapudi (V), E.G.Dist.
- 5 Sammita Venkataraju S/o. Sathiyya
Lampakalova (V), E.G.Dist.
- 6 Nedulla Dharmaraju S/o. Kondayya
Rowthulapapudi (V), Near Uttarakanchi (V), E.G.Dist.
- 7 Kornu Venkayamma W/o. Ramaswamy
Rowthulapalem, Near Uttarakanchi, E.G.District.
- 8 Nedulla Jogeswararao S/o. Venkatarao
Rowthulapalem, E.G.Dist.
- 9 Sammita Suryarao S/o. late Ammanna
Lampakalova (V), E.G.Dist.
- 10 Pandi Narayana Murthy S/o. Venkayya
Lampakalova (V), E.G.Dist.
- 11 Pandi Suryarao S/o. Venkayya
Lampakalova (V), E.G.Dist.

... PETITIONERS

AND

The Land Acquisition Officer and Special Deputy Collector, L.A.Unit and Revenue
Divisional Officer, Peddapuram.

.....RESPONDENT

The Court made the following :

ORDER:

The agricultural lands of the petitioners were acquired for public purpose. Some other land oustees sought reference under Section 18 of the Land Acquisition Act, 1894 (for brevity 'the Act') to the Court of the Senior Civil Judge, Peddapuram. The said Court disposed of the O.P. by order dated 3-6-1996 enhancing the compensation. Petitioners obtained the certified copy on 29-11-1996 and filed applications on 7-1-1997 to the Land Acquisition Officer to redetermine the compensation at the rate of Rs.30,000/- per Acre as determined by the Civil Court. As these applications under Section 28-A of the Act are not considered, petitioners filed the present writ petition seeking a direction to the respondent to redetermine the compensation in the light of the judgment in O.P.No.42 of 1986 passed by the Court of the Senior Civil Judge, Peddapuram.

The learned Assistant Government Pleader for Land Acquisition, submits that against the judgment and decree of the Civil Court, the Government preferred an appeal being A.S.No.51 of 1997 before this Court and the same is pending.

Therefore, the Collector could not redetermine the compensation under Section 28-A of the Act. As the learned counsel for the petitioner does not dispute that the applications made by his clients are still pending and they are not rejected, this Court holds that the respondent has taken correct steps in not passing any orders during the pendency of A.S.No.51 of 1997. As and when the appeal is disposed of by this Court, the respondent shall pass appropriate orders on the applications made by the petitioners in January, 1997.

The writ petition, with the above observations, is disposed of. No costs.

(V.V.S.RAO, J.)

13-09-2004.

Msr.

To

1. The Land Acquisition Officer and Special Deputy Collector,
L.A.Unit and Revenue Divisional Officer, Peddapuram.
2. 2CCs to Government Pleader for Land Acquisition,
High Court of A.P., Hyderabad.(OUT)
3. 2CD copies

HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.1155 of 1999

13-09-2004.

(Msr)